

North Carolina Railroad Company : *Provided*, That no Proviso.
fence shall divide a tract of land against the consent of
the owner, but may follow the boundary line thereof :
Provided further, That where a public highway divides a Proviso.
tract of land, the fence may follow the highway even
against the consent of the owner of the land so divided.

SEC. 12. That all expense incurred by reason of build- Expenses, how
ing, repairing and keeping said fences and gates, shall paid.
be paid out by the county treasurer on the order of said
county commissioners.

SEC. 13. Any person wilfully tearing down or in any Wilful injury to
manner breaking a fence or gate established or erected fence, &c., a mis-
in pursuance of this act, shall be deemed guilty of a mis- demeanor.
demeanor, and upon conviction, shall be fined not ex- Penalty.
ceeding fifty dollars, or imprisoned not exceeding thirty
days.

SEC. 14. Any person who shall leave open any gate Misdemeanor to
erected under the provisions of this act shall be deemed leave open gate.
guilty of a misdemeanor, and upon conviction thereof
shall be fined not more than five dollars.

SEC. 15. The provisions of this act shall not be con- Penalty.
strued to apply to persons driving stock to market. Act not applica-
ble to persons
driving cattle to
market.

SEC. 16. That within sixty days after the passage of County commis-
this act, the board of county commissioners of Wake sioners to distri-
county shall cause to be distributed among the electors bute 10,000 copies
of said county ten thousand copies of this act : *Provided*, of act.

That this act shall not go into effect until the same shall Proviso.
be ratified by the qualified electors of said county, and to Act not to go into
this end the board of county commissioners shall order effect until rati-
an election not less than ninety days after the ratification fied by electors
of this act, under the same rules, regulations and provis- of county.

ions in all respects as are now provided by law for the Election.
election of members of the general assembly. At such How held.
election those in favor of said act shall vote "for the abo-
lition of fences," and those against said act shall vote
"against the abolition of fences," and said vote shall be Canvass of vote.